

**City of Greensboro  
North Carolina  
Greensboro Minimum Housing  
Commission Meeting**

**REGULAR MEETING**

**1:30 P.M.**

**December 8, 2009**

**Commission Members Present:**

Larry Standley, Chairman  
Jeff Nimmer  
Tim Vincent  
Wayne Stutts  
Jim Burgess

**Staff Present:**

Wanda Hovander, Inspector  
Mike Williams, Esq., City Attorney  
Mary Lynn Anderson, City Attorney's Office  
Dan Reynolds, Manager of Inspections Division  
Roddy Covington, Inspector  
Roy McDougal, Inspector  
Dave Amos, Inspector

Staff and persons from the audience were sworn as to their testimony in the following matters for this meeting.

Inspector Hovander informed members of a correction to the agenda. Item 2, 919 Reid Street, and Item 3, 921 Reid Street, have been removed from the agenda.

Inspector Reynolds informed the Commission of two RUCO appeals that will appeal on the January, 2010 agenda. Chair Standley requested that the most recent RUCO meeting minutes be distributed to members.

**1) APPROVAL OF MINUTES FROM OCTOBER 13, 2009 MEETING:**

Mr. Burgess moved to approve the minutes from the October 13, 2009 meeting, seconded by Mr. Vincent. The motion was unanimously approved 5-0. (Ayes: Standley, Vincent, Nimmer, Stutts, Burgess. Nays: None.)

**New Cases:**

- 2) 919 Reid Street – (TMN 49-9-5) – Eugene W. & Angela K. Ellison, Owners – In the Matter of Order to Repair, Alter or Improve the Structure. Inspectors Covington & Hovander. (REMOVED FROM AGENDA)**
- 3) 921 Reid Street – (TMN 49-9-5) – Eugene W. & Angela K. Ellison, Owners – In the Matter of Order to Repair, Alter or Improve the Structure. Inspectors Covington & Hovander. (REMOVED FROM AGENDA)**

**4) 1001 (A & B) East Bragg Street – (TMN 49-4-10) – Schwarz Properties LLC, Owners -- In the Matter of Order to Repair, Alter or Improve the Structures. Inspectors Covington & Hovander. (CONTINUED UNTIL JANUARY, 2010 MEETING)**

Inspector Hovander stated that 1001 A & B East Bragg Street is a duplex and the case is being submitted as the Inspector's order being expired. A title search was completed; the date of the inspection was October 1, 2008; and all parties were notified by certified mail. The date of the hearing was August 26, 2009. The order was issued September 2, 2009 and expired October 2, 2009. The last date of visual inspection was December 7, 2009 by Inspectors Hovander and Covington. The City did have to order the building secured and it was secured in July, 2009. This has been a repeat problem of being open and vacant. There are children in the area and a preschool is located nearby. The property is next to Bennett College. There is no history of police complaints and in the opinion of the Inspector the owner has abandoned the intent to repair the property.

Counsel Williams asked Inspector Hovander if the video being shown was a fair and accurate representation of the property; if all parties of interest were properly served with all Orders, Notices, and Complaints issued in this matter; the last date the property was visited was December 7, 2009; this property is a duplex; and there are more than five separate types of violations of any of the Minimum Standard Housing Codes. Inspector Hovander stated that she agreed with all the information as stated.

Inspector Hovander stated that the list of violations for unit A includes bathtub or shower not in sanitary, safe working condition; Electrical Code violations; exterior doors, assemblies or hardware not in good condition; exterior handrail or guard not firmly fastened, incapable of supporting loads or not in good condition; exterior non-decay resistant wood unprotected by paint, covering or treatment; exterior paint peeling, flaking or chipped; exterior stairways, decks, porches, or balconies in disrepair; exterior structural members deteriorated; exterior walls not weatherproof; exterminate insect or rodent infestation; foundation walls shall prevent entry of rodents and pests; Fuel Gas Code violations; heating facility, residential: maintain 65 degrees F at habitable rooms, toilets and bathrooms; insect screens required at doors, windows and openings required for ventilation; interior doors shall fit frame and open and close; interior equipment: in disrepair; interior equipment: unsanitary; interior structure: in disrepair; interior structure: unsanitary; interior surfaces: cracked or loose plaster, other effective surface conditions, unclean, unsanitary, or not in good condition; kitchen sink not in sanitary, safe working condition; kitchen sink not supplied with hot and cold running water; lavatory not in sanitary, safe working condition; Mechanical Code violations; Plumbing Code violations; premises identification missing; roof and flashing shall be sound, tight, and not admit rain; roof drainage shall prevent dampness or deterioration in walls or interior structure; screen door not in good working condition; single station smoke alarms required in existing dwelling unit; water closet not in sanitary, safe working condition; water heater to supply adequate water at 120 degrees F; windows, operable: not easily openable; windows operable: not held in closed position by hardware.

The list of violations for unit B includes bathtub not supplied hot and cold running water; bathtub or shower not in sanitary, safe working condition; Electrical Code violation; exterior doors, assemblies or hardware not in good condition; exterior handrail or guard not firmly fastened, incapable of supporting loads, or not in good condition; exterior non-decay resistant wood unprotected by paint, covering or treatment; exterior paint peeling, flaking or chipped; exterior stairways, decks, porches, or balconies in disrepair; exterior stairways, decks, porches, or balconies not properly anchored; foundation walls shall prevent entry of rodents and pests; heating facility, residential: maintain 65 degrees F at habitable rooms, toilets and bathrooms; insect screens required at doors, windows and opening required for ventilation; interior doors shall fit frame and open and close; interior equipment unsanitary; interior structure: shared or public areas unclean, unsanitary; interior structure unsanitary; interior surfaces: cracked or loose plaster, unclean, unsanitary, or not in good condition; kitchen sink not supplied with hot and cold running water; lavatory not supplied with hot and cold

running water; Mechanical Code violations; Plumbing Code violations, premises identification shall not contrast with background; roof and flashing shall be tight, sound, and not admit rain; screen door, swinging: requires self-closing device in good working condition; shower not supplied with hot and cold running water; single station smoke alarms required in existing dwelling unit; water closet not in sanitary, safe working condition; water heater to supply adequate water at 120 degrees F; windows, operable: not easily openable.

Chair Standley asked if there was any one present wishing to speak on this matter.

Frank Edmondson stated that he was speaking as a representative for Schwartz Properties and Mr. Schwartz. Homer Allred, head of maintenance, was also present. Their business address is 1947 North Federal Street in Asheboro, North Carolina.

Mr. Edmondson cited vandalism to the property and crime in the neighborhood as reasons for the poor condition of the property. The properties have been renovated twice and substantial amounts of money have been spent to repair the properties. Their plan is to try again to get these properties back up to code if Mr. Schwartz can receive help from the police in patrolling this area. Mr. Allred elaborated on instances of vandalism to properties in the neighborhood owned by Mr. Schwartz. After a discussion, Mr. Edmondson requested a continuance to allow them time to repair the property and continue to push the Police Department to intervene.

Mr. Burgess moved to continue this case until the January, 2010 meeting, seconded by Mr. Vincent. Counsel Williams pointed out that the four Schwartz properties could be continued together in one motion; however, at the next meeting each property must be handled as a new case.

Mr. Burgess restated the motion to continue 101 A & B, 103 A & B, 105 A & B, and 109 A & B East Bragg Street until the January, 2010 meeting, seconded by Mr. Vincent. The motion was unanimously approved 5-0. (Ayes: Standley, Vincent, Nimmer, Stutts, Burgess. Nays: None.)

- 5) **1003 (A & B) East Bragg Street – (TMN 49-4-10) – Schwarz Properties LLC, Owners -- In the Matter of Order to Repair, Alter or Improve the Structures. Inspectors Covington & Hovander. (CONTINUED UNTIL JANUARY, 2010 MEETING)**
- 6) **1005 (A & B) East Bragg Street – (TMN 49-4-10) – Schwarz Properties LLC, Owners -- In the Matter of Order to Repair, Alter or Improve the Structures. Inspectors Covington & Hovander. (CONTINUED UNTIL JANUARY, 2010 MEETING)**
- 7) **1009 (A & B) East Bragg Street – (TMN 49-4-10) – Schwarz Properties LLC, Owners -- In the Matter of Order to Repair, Alter or Improve the Structures. Inspectors Covington & Hovander. (CONTINUED UNTIL JANUARY, 2010 MEETING)**
- 8) **442 Gorrell Street – (TMN 29-8-1) – Samuel & Kimberly Pass, Owners – In the Matter of Order to Repair, Alter or Improve the Structure. Inspectors Covington & Hovander. (CONTINUED UNTIL FEBRUARY, 2010)**

Inspector Hovander stated that 442 Gorrell Street is not part of a duplex or apartment complex. The case is being submitted order expired and no work being done. A title search was completed in May of 2009. The date of the inspection was initially May 11, 2009 and reinspected July 27, 2009. All parties were notified by certified mail. The date of the hearing was September 2, 2009 and the order was issued September 2, 2009. The order expired October 2, 2009. The date of the last visual inspection was December 7, 2009 by Inspectors Covington and Hovander. The City did not have to order the building secured. There are children in the area and Bennett College and a daycare are

located nearby. There is no history of police complaints to LOE and in the opinion of the Inspector the owner has abandoned the intent to repair the property.

Counsel Williams asked Inspector Hovander if the video being shown was a fair and accurate representation of the property; if all parties of interest were properly served with all Orders, Notices, and Complaints issued in this matter; the last date the property was visited was December 7, 2009; this property is not a duplex; and there are more than five separate types of violations of any of the Minimum Standard Housing Codes. Inspector Hovander stated that she agreed with all the information as stated.

Inspector Hovander stated that the list of violations includes aisle widths obstructed; bathroom or toilet room: discharge mechanical ventilation outdoors; bathroom or toilet room: ventilate as for habitable space, or ventilate mechanically; bathtub or shower not provided. Inspector Hovander explained that the entire house is practically gutted and is down to the framing. Additional violations include common halls and stairways: light as required; egress doors not readily openable from egress side; electrical receptacle not provided at bathroom, new GFCI outlet required; electrical receptacle: one grounded or GFCI receptacle required at laundry; electrical receptacles: habitable space requires two, remotely located; electrical system hazard: inadequate service, no power on at time of inspection; electrical system not provided; electrical wiring not properly installed; exterior doors, assemblies or hardware not in good condition; exterior paint peeling, flaking or chipped; exterior property or premises unclean, unsafe; exterior stairways, decks, porches, or balconies in disrepair; exterior stairways, deck, porches, or balconies incapable of supporting imposed loads; exterior stairways, decks, porches, or balconies not properly anchored; exterior structure in disrepair, structurally unsound or unsanitary and not maintained in good condition; exterior walls not weatherproof; exterior walls: coat to prevent deterioration; exterior walls: holes, breaks, loose or rotting materials; foundation walls cracked or broken; foundation walls shall prevent entry of rodents and pests; glazing: cracks and/or holes; heating facility not provided; heating facility, residential: maintain 65 degrees F at habitable rooms, toilets and bathrooms; insect screens required at doors, windows and openings required for ventilation; interior doors shall fit frame and open and close; interior equipment : in disrepair; interior equipment: unsanitary; interior handrail or guard not firmly fastened, incapable of supporting loads, or not in good condition; interior landing in unsound condition or disrepair; interior structural members unsound, incapable of supporting loads; interior structure: in disrepair, structurally unsound; unsanitary; interior surfaces: decayed wood, other defective surface conditions; house has been gutted and permits must be pulled for all trades from the City before work is started; interior surfaces: paint peeling, chipping, flaking or abraded; interior surfaces: unclean, unsanitary, or not in good condition; interior walking surface in unsound condition or disrepair; joints not weather resistant and water tight, masonry; joints not weather resistant and water tight, perimeter of windows, doors and skylights; joints not weather resistant and water tight, siding; kitchen sink not provided; lavatory not provided; light insufficient to permit sanitary conditions, safe occupancy, and safe utilization of appliances, equipment and fixtures; lighting fixture required at bathroom; lighting fixture required at interior stairway; lighting fixture required at kitchen; lighting fixture required at laundry room, public hall, toilet room; path of travel to public way unsafe, discontinuous or obstructed; plumbing system hazard: inadequate service; plumbing system hazard: inadequate venting; premises identification must be 4 inches minimum high, .5 inches minimum stroke width; single station smoke alarms required in existing dwelling unit; smoke alarm power source; provide power from building wiring where required; unfit due to more than five violations; unsafe, unsanitary condition, structures and exterior property controlled by owner; vacant structure or premises unclean, unsafe, unsecured, or unsanitary; no water on at time of inspection; water closet not provided; windows, operable: not held in closed position by hardware; windows, operable: not held in open position by hardware; windows, skylights, doors or frames unsound, in disrepair, or not weather tight.

Chair Standley asked if there was any one present wishing to speak on this property.

Samuel Pass, 515 Martin Street, gave a brief history of this property located in the historic district. He plans to restore the property as it is listed on the National Register of Historic Places. Community block grant funding has been received from the City for stabilization of the house. There is new roofing on the house and plans are underway to replace the decayed wood. He indicated that the house is structurally sound. A scope of work has been completed, most of the quotes have been received, and an estimated cost for renovation has been established. Information has been given to the lending source and work will begin immediately upon loan approval. Mr. Pass hopes to begin work in January, 2010 with a proposed completion date of September, 2010.

Members commented that the applicant has provided proper information on timetable, funding, and plans. The Commission indicated they would like to hear back from him regarding an update on progress.

Mr. Burgess moved to extend this application until February, 2010, seconded by Mr. Nimmer. The motion was unanimously approved 5-0. (Ayes: Standley, Vincent, Nimmer, Stutts, Burgess. Nays: None.)

**9) 925 Hackett Street – (TMN 131-7-14) – Wallace Freemon Jr. & Edna Helms, Owners -- In the Matter of Order to Repair or Vacate and Demolish Structure. Inspectors Covington & Hovander. (INSPECTOR UPHELD)**

Inspector Hovander stated that 925 Hackett Street is not part of a duplex or apartment complex. The case is being submitted order expired and no work being done. A title search was completed on the property. The date of the inspection was initially April 20, 2006 and reinspected June 12, 2009. All parties were notified by certified mail. The date of the hearing was August 13, 2009 and the order was issued August 14, 2009. The order expired September 16, 2009. The date of the last visual inspection was December 7, 2009. The City did have to order the building secured and the City secured it March 24, 2009. This has been a repeat problem. There are children in the area and Dudley High School is located nearby. There is no history of police complaints to LOE and in the opinion of the Inspector the owner has abandoned the intent to repair the property.

Counsel Williams asked Inspector Hovander if the video being shown was a fair and accurate representation of the property; if all parties of interest were properly served with all Orders, Notices, and Complaints issued in this matter; the last date the property was visited was December 7, 2009; this property is not a duplex; and there are more than five separate types of violations of any of the Minimum Standard Housing Codes. Inspector Hovander stated that she agreed with all the information as stated.

Inspector Hovander stated that the list of violations includes bathroom door, installed and missing; bedroom door, installed and missing; broken glass pane; cover plate cracked/missing or loose; crawl space door repair/replace; door inadequately screened; dwelling unit does not have running water; electrical power not on at time of inspection; entrance door lock missing; loose floor covering; make windows operable; missing UL listed smoke detector; repair or replace cabinets; unclean/unsanitary ceiling, fixtures, floors, and walls; untreated deteriorative surface; walls around tubs to be impervious to water; windows inadequately screened.

There was no one present wishing to speak on the property.

Mr. Vincent moved to uphold the Inspector, seconded by Mr. Burgess. The motion was unanimously approved 5-0. (Ayes: Standley, Vincent, Nimmer, Stutts, Burgess. Nays: None.)

Chair Standley stated that the property involved in this matter is located at 925 Hackett Street in Greensboro, North Carolina. The property owner and all parties in interest in said property have been

properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property owner and all parties in interest were afforded their due process rights in compliance with the law. The property in question has more than five separate types of violations of any of the Minimum Housing Code Standards. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the City of Greensboro and is unfit for human habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structure is dangerous and unfit for human habitation; and the Inspector is proper in all respects.

Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld.

**10) 1031 Pearson Street – (TMN 30-8-17) – PCP Properties LLC, Owners – In the Matter of Order to Repair, Alter or Improve Structure. Inspectors Covington & Hovander. (INSPECTOR UPHELD)**

Inspector Hovander stated that 1031 Pearson Street is not part of a duplex or apartment complex. The case is being submitted order expired and no work being done. A title search was completed on the property. The date of the inspection was initially August 26, 2006 and reinspected August 27, 2008. All parties were notified by certified mail. The date of the hearing was October 28, 2008 and the order was issued May 12, 2009. The order expired June 12, 2009. The date of the last visual inspection was December 7, 2009. The City did have to order the building secured and the City secured it May 30, 2009. This has not been a repeat problem. There are children in the area and there is no school nearby. There is no history of police complaints to LOE and in the opinion of the Inspector the owner has abandoned the intent to repair the property.

Counsel Williams asked Inspector Hovander if the video being shown was a fair and accurate representation of the property; if all parties of interest were properly served with all Orders, Notices, and Complaints issued in this matter; the last date the property was visited was December 7, 2009; this property is not a duplex; and there are more than five separate types of violations of any of the Minimum Standard Housing Codes. Inspector Hovander stated that she agreed with all the information as stated.

Inspector Hovander stated that the list of violations includes basement hatchway admits rodents, rain or surface drainage water; chimneys: metal or wood not protected by weather coating material or treatment; electrical service: provide three-wire, 120/240 V, 60A minimum service; electrical system hazard: inadequate service; electrical wiring not properly maintained; exterior paint peeling, flaking or chipped; exterior structural members deteriorated; exterior surfaces not maintained in good condition; exterior walls not weatherproof; exterior walls coat to prevent deterioration; exterior walls: holes, breaks, loose or rotting materials; exterminate insect or rodent infestation; foundation walls cracked or broken; foundation walls shall prevent entry of rodents and pests; heating facility, residential: maintain 65 degrees F at habitable rooms, toilets and bathrooms; insect screens required at doors, windows and openings required for ventilation; interior doors shall fit frame and open and close; interior equipment: unsanitary; interior porch or deck in unsound condition or disrepair; interior structural members unsound, incapable of supporting loads; interior structure: structurally unsound and unsanitary; interior surfaces cracked or loose plaster; interior surfaces: other defective surface condition, repair all floors, walls, cabinets, and ceilings to Code; joints not weather resistant and water tight, perimeter of windows, doors and skylights; joints not weather resistant and water tight, siding; kitchen sink not supplied with hot and cold running water; lavatory not properly connected to water supply system; lavatory not supplied with hot and cold running water; lighting fixture required at bathroom; lighting fixture required at kitchen; lock on egress door not readily openable; plumbing fixtures not capable of performing function; plumbing fixtures not in working order; roof drains, gutters or downspouts in disrepair; shower not supplied with hot and cold running water; single station smoke

alarms required in existing dwelling unit; sink not properly connected to water supply system; water closet not properly connected to water supply system; water heating to supply adequate water at 120 degrees F.

There was no one present wishing to speak on the property.

Mr. Vincent moved to uphold the Inspector, seconded by Mr. Burgess. The motion was unanimously approved 5-0. (Ayes: Standley, Vincent, Nimmer, Stutts, Burgess. Nays: None.)

Chair Standley stated that the property involved in this matter is located at 1031 Pearson Street in Greensboro, North Carolina. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property owner and all parties in interest were afforded their due process rights in compliance with the law. The property in question has more than five separate types of violations of any of the Minimum Housing Code Standards. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the City of Greensboro and is unfit for human habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structure is dangerous and unfit for human habitation; and the Inspector is proper in all respects.

Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld.

#### **Continued Cases:**

#### **11) 510 Julian Street – (TMN 312-2-2) – Diane & Marion Smith, Owners – In the Matter of Order to Repair or Vacate and Demolish Structure. Continued from the August 11, 2009 Housing Commission meeting. Inspectors Covington & Hovander. (CONTINUED UNTIL JANUARY, 2010 MEETING)**

Inspector Hovander stated that 510 Julian Street is a continued case and the property is not part of a duplex or apartment complex. The case is being submitted as less than 50 percent damaged. A title search was completed June 15, 2009. The date of the inspection was February 1, 2006 and all parties were notified by certified mail. The date of the hearing was February 6, 2008 and Mr. Marion Smith appeared. The order was issued February 6, 2008 and expired March 6, 2008. The last date of visual inspection was December 7, 2009 by Inspector Hovander. The City did not have to order the building secured. There are children in the area and no school nearby. There is no history of police complaints and in the opinion of the Inspector the owner had abandoned the intent to repair the property when the case was originally brought before the Commission. Inspector Hovander commented that the owner has made considerable progress.

Counsel Williams asked Inspector Hovander if the video being shown was a fair and accurate representation of the property; if all parties of interest were properly served with all Orders, Notices, and Complaints issued in this matter; the last date the property was visited was December 7, 2009; this property is not a duplex; and there are more than five separate types of violations of any of the Minimum Standard Housing Codes. Inspector Hovander stated that she agreed with all the information as stated.

Inspector Hovander stated that the list of violations were read into the record at the previous meeting.

Chair Standley asked if there was any one present wishing to speak on this property.

Mr. Marion Smith, 4230 Blackberry Road, is the property owner. He described the items remaining to be completed and indicated that the house will be a rental property. Members commented that his progress, as shown in the video, looked very good.

Mr. Burgess moved to continue this case until the January, 2010 meeting, seconded by Mr. Vincent. The motion was unanimously approved 5-0. (Ayes: Standley, Vincent, Nimmer, Stutts, Burgess. Nays: None.)

**12) 524 Julian Street – (TMN 31-3-1) – Victor B., Wendell H., & Ethbert S. Jr., Owners, -- In the Matter of Order to Repair, Alter or Improve the Structure. Continued from the April 13, 2009, June 9, 2009 and August 11, 2009 Housing Commission meeting. Inspectors Covington & Hovander. (CONTINUED UNTIL APRIL, 2010 MEETING)**

Inspector Hovander stated that information for 547 Julian Street was read into the record at the August 11, 2009 meeting.

Chair Standley asked if there was any one present wishing to speak on this property.

Victor Carr, 541 Galloway Drive, is an owner of the property. He stated that repairs are underway on the property and he estimated completion to be March, 2010.

Beth Benton, City of Greensboro Housing and Community Development, stated that the contract date indicated completion March 8, 2010. She felt that completion should occur prior to this time unless there are issues with the weather.

Mr. Vincent moved to continue this case until the April, 2010 meeting, seconded by Mr. Nimmer. The motion was unanimously approved 5-0. (Ayes: Standley, Vincent, Nimmer, Stutts, Burgess. Nays: None.)

**13) 1009 Pichard Street – (TMN 130-15-07) – Timothy L. & Gail R. Hatcher, Owners – In the Matter of Order to Repair, Alter or Improve the Structure. Continued from the October 13, 2009 Housing Commission meeting. Inspectors Covington & Hovander. (CONTINUED UNTIL JANUARY, 2010 MEETING)**

Inspector Hovander stated that information for 1009 Pichard Street was read into the record at the October 13, 2009 meeting.

Chair Standley asked if there was any one present wishing to speak on this property.

Timothy Hatcher, 1434 Alamance Church Road, stated that a substantial amount of progress has been made. The bathroom floor is the only remaining item to be done. He expects to be finished within the month.

Inspector Covington agreed that a lot of work has been accomplished on this property. He felt the owner should be able to finish the project within 30 days. He cited the bathroom floor, peeling paint, operable windows, and smoke detector installation as the cosmetic repairs that need to be completed.

Mr. Burgess moved to continue this case until the January, 2010 meeting, seconded by Mr. Vincent. The motion was unanimously approved 5-0. (Ayes: Standley, Vincent, Nimmer, Stutts, Burgess. Nays: None.)



**14) 409 East Whittington Street – (TMN 17-11-11) – Johnny & Kathryn H. Humble, Owners– In the Matter of Order to Repair or Otherwise Demolish Structure. Continued from the July 14, 2009 and October 13, 2009 Housing Commission meetings. Inspectors Covington & Hovander. (INSPECTOR UPHELD)**

Inspector Hovander stated that 409 East Whittington Street was brought before the Commission on July 14, 2009 and October 13, 2009. At the October 13, 2009 meeting no one appeared; however, Inspector Hovander was informed the owners would be finished within 30 days and the meeting was continued. She has not seen any progress and the owner indicated they would not be present at today's meeting.

Counsel Williams asked Inspector Hovander if the video being shown was a fair and accurate representation of the property; if all parties of interest were properly served with all Orders, Notices, and Complaints issued in this matter; the last date the property was visited was December 7, 2009; this property is not a duplex; and there are more than five separate types of violations of any of the Minimum Standard Housing Codes. Inspector Hovander stated that she agreed with all the information as stated.

Inspector Hovander stated that the list of violations includes bathtub not supplied with hot and cold running water; bathtub or shower not in sanitary, safe working condition; bedroom: privacy lock required; electrical equipment not properly maintained; exterior doors, assemblies or hardware not in good condition; exterior non-decay resistant wood unprotected by paint, covering or treatment; exterior paint peeling, flaking or chipped; exterior property or premises unclean, unsafe; exterior stairways, decks, porches, or balconies in disrepair; exterior structural members deteriorated; exterior surfaces not maintained in good condition; exterior walls not weatherproof; exterior walls: coat to prevent deterioration; exterior walls: holes, breaks, loose or rotting materials; exterminate insect or rodent infestation; foundation walls cracked or broken; glazing: cracks and/or holes; heating facility, residential: maintain 65 degrees F at habitable rooms, toilets and bathrooms; insect screens required at doors, windows and openings required for ventilation; interior doors shall fit frame and open and close; interior equipment: in disrepair, unsanitary; interior structure: unsanitary; interior surfaces: unclean, unsanitary, or not in good condition; joints not weather resistant and water tight, masonry; kitchen sink not in sanitary, safe working condition; kitchen sink not supplied with hot and cold running water; lavatory not in sanitary, safe working condition; lavatory not properly connected to water supply system; lavatory not supplied with hot and cold running water; lighting fixture required at bathroom; lighting fixture required at kitchen; lock on egress door not readily openable; occupying or permitting occupancy of premises not in compliance with plumbing requirements; plumbing fixtures not capable of performing function; plumbing fixtures not in working order; screen door, swinging: requires self-closing device in good working condition; shower not supplied with hot and cold running water; single station smoke alarms required in existing dwelling unit.; unsafe, unsanitary conditions; water closet not in sanitary, safe working condition. Water closet not properly connected to water supply system; water heater not properly installed and maintained; water heater to supply adequate water at 120 degrees F; windows, operable: not easily openable.

There was no one present wishing to speak on the property.

Inspector Hovander reiterated that she had seen no progress within the last 60 days. Some of the violations had been corrected, but new ones had also occurred. She added that the owner informed her that he felt the property could be repaired within 90 days even if an order to uphold the Inspector was passed.

Mr. Burgess moved to uphold the Inspector, seconded by Mr. Vincent. The motion was unanimously approved 5-0. (Ayes: Standley, Vincent, Nimmer, Stutts, Burgess. Nays: None.)

Chair Standley stated that the property involved in this matter is located at 409 East Whittington Street in Greensboro, North Carolina. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property owner and all parties in interest were afforded their due process rights in compliance with the law. The property in question has more than five separate types of violations of any of the Minimum Housing Code Standards. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the City of Greensboro and is unfit for human habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structure is dangerous and unfit for human habitation; and the Inspector is proper in all respects.

Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld.

**15) 311 Leftwich Street -- (TMN 25-11-25) – Benjamin A. & Lynne W. Berryhill, Owners – In the Matter of Order to Repair or Vacate and Demolish Structure. Inspectors Covington & Hovander. (CONTINUED UNTIL FEBRUARY, 2010 MEETING)**

Inspector Hovander stated that 311 Leftwich Street is continued from the October 13, 2009 meeting.

Chair Standley asked if there was any one present wishing to speak on this property.

Benjamin Berryhill is the owner and he resides at 6600 Dustin Road in Climax, North Carolina. He informed members that they are making every effort to finish this project. The electrical repairs are almost complete and he described the remaining repairs. He felt that that the project should be completed by March, 2010 at the latest. Inspector Amos confirmed that the property owner does not have an electrical or plumbing permit. Inspector Hovander reiterated to the owner that a permit must be pulled prior to doing the work. She added that the property is located in the historic district and a Certificate of Occupancy has been granted with conditions.

Mr. Burgess moved to continue this case until the February, 2010 meeting, seconded by Mr. Vincent. The motion was unanimously approved 5-0. (Ayes: Standley, Vincent, Nimmer, Stutts, Burgess. Nays: None.)

**16) 1114 Moody Street – (TMN 215-3-5) – Michael Ray & Debra H. Hodgins, Owners – In the Matter of Order to Repair, Alter or Improve the Structure. Continued from the August 11, 2009 and October 13, 2009 Housing Commission meetings. Inspectors Covington & Hovander. (CONTINUED UNTIL THE MARCH, 2010 MEETING)**

Inspector Hovander stated that 1114 Moody Street is continued from the October 13, 2009 meeting. The video being shown was shot December 4, 2009.

Chair Standley asked if there was any one present wishing to speak on this property.

Mike Hodgins, 4404 Oakmore Drive, is the owner of the property. He indicated that he needed to get an electrical permit to begin work. He is doing much of the work himself including the siding that should be finished within two weeks. He updated members on the timeline of the remaining repairs.

Mr. Burgess moved to continue this case until the March, 2010 meeting, seconded by Mr. Stutts. The motion was unanimously approved 5-0. (Ayes: Standley, Vincent, Nimmer, Stutts, Burgess. Nays: None.)

**REQUESTS TO RESCIND:**

Mr. Vincent moved to rescind the following items, seconded by Mr. Nimmer. The motion was approved 5-0. (Ayes: Standley, Vincent, Nimmer, Stutts, Burgess. Nays: None.)

- 17) **2000 Golden Gate – (TMN 125-8-26) -- Alliance Commercial Investments, Owner – HCR recorded 7/17/2009, book 7038, page 1762-1763. Demolished by Owner. Inspector Hovander.**

**ADJOURN:**

There being no further business before the Commission the meeting was adjourned at 3:00 p.m.

Respectfully submitted,

Larry Standley, Chairman  
Greensboro Minimum Housing Commission

LS:sm/jd